

APPLICATION FOR PERMIT

have examined this application  
TO APPROPRIATE PUBLIC WATERS OF THE STATE OF WASHINGTON

is: ☐ not an "action" ☐ SURFACE WATER ☒ GROUND WATER

☒ categorically exempt. \$10.00 MINIMUM STATUTORY EXAMINATION FEE REQUIRED WITH APPLICATION

7/9/93 *Shaul Baker* SIGNATURE (GRAY BOXES FOR OFFICE USE ONLY)

|   |                   |                       |  |                    |                         |
|---|-------------------|-----------------------|--|--------------------|-------------------------|
| APPLICATION NO. <u>G1-27235</u>                             | W.R.I.A. <u>1</u> | COUNTY <u>Whatcom</u> | PRIORITY DATE <u>7/1/93</u>  | TIME               | ACCEPTED <u>SB</u>      |
| APPLICANT'S NAME — PLEASE PRINT<br><u>JACOB BLOK</u>        |                   |                       | Bus. Tel. <u>206-354-3144</u><br>Home Tel. <u>206-354-3144</u><br>Other Tel. <u>206-354-3476</u> |                    |                         |
| ADDRESS (STREET) <u>7768 BEEBE RD</u>                       |                   |                       | (CITY) <u>LYNDEN</u>   | (STATE) <u>WA.</u> | (ZIP CODE) <u>98264</u> |
| DATE & PLACE OF INCORPORATION IF APPLICANT IS A CORPORATION |                   |                       |  |                    |                         |

1. SOURCE OF SUPPLY

|  |  |
|--|--|
| IF SURFACE WATER   | IF GROUND WATER                                  |
| SOURCE (NAME OF STREAM, LAKE, SPRING, ETC.) (IF UNNAMED, SO STATE) | SOURCE (WELL, TUNNEL, INFILTRATION TRENCH, ETC.) |
| TRIBUTARY  | <u>WELL</u><br>SIZE AND DEPTH<br><u>2' x 30'</u> |

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2. USE

USE TO WHICH WATER IS TO BE APPLIED (DOMESTIC SUPPLY, IRRIGATION, MINING, MANUFACTURING, ETC.)

DOMESTIC + Livestock

|   |                             |    |                          |                    |
|---|-----------------------------|----|--------------------------|--------------------|
| ENTER QUANTITY OF WATER REQUESTED USING UNITS OF: | CUBIC FEET PER SECOND (CFS) | OR | GALLONS PER MINUTE (GPM) | ACRE FEET PER YEAR |
|   |                             |    | <u>40 GPM</u>            |                    |

TIMES DURING YEAR WATER WILL BE REQUIRED

All year long.

|                                     |  |  |
|-------------------------------------|--|--|
| IF IRRIGATION, NUMBER OF ACRES      | IF DOMESTIC USE, NUMBER OF UNITS BY TYPE, E.G. 1-HOME, 1-MOBILE HOME, 2-CAMPSITES, ETC. <u>3 Homes</u> | IF MUNICIPAL USE, ESTIMATED POPULATION 20 YEARS FROM TODAY |
| DATE PROJECT WAS OR WILL BE STARTED | DATE PROJECT WAS OR WILL BE COMPLETED<br><u>May 15, 1982</u>   |  |

3. LOCATION OF POINT OF DIVERSION/WITHDRAWAL

3A. IF IN PLATTED PROPERTY

|     |       |                                    |         |      |       |  |
|-----|-------|------------------------------------|---------|------|-------|--|
| LOT | BLOCK | OF (GIVE NAME OF PLAT OR ADDITION) | SECTION | TOWN | RANGE | ALSO, PLEASE ENCLOSE A COPY OF THE PLAT AND MARK THE POINT(S) OF WITHDRAWAL OR DIVERSION |
|     |       |                                    |         |      |       |  |

3B. IF NOT IN PLATTED PROPERTY

ON ACCOMPANYING SECTION MAPS, ACCURATELY MARK AND IDENTIFY EACH POINT OF DIVERSION, SHOW NORTH-SOUTH AND EAST-WEST DISTANCES FROM NEAREST SECTION CORNER OR PROPERTY CORNER

ALSO, ENTER BELOW THE DISTANCES FROM THE NEAREST SECTION OR PROPERTY CORNER TO THE DIVERSION OR WITHDRAWAL.

775 Feet North and a little East from S.W. Corner along Beebe Rd.

|   |           |             |                       |                |
|---|-----------|-------------|-----------------------|----------------|
| LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION) | SECTION   | TOWNSHIP N. | RANGE (E. OR W.) W.M. | COUNTY         |
|   | <u>31</u> | <u>40N</u>  | <u>3E</u>             | <u>Whatcom</u> |

4. DO YOU OWN THE LAND ON WHICH THIS SOURCE IS LOCATED. IF NOT, INSERT NAME & ADDRESS OF OWNER

Yes

5. LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED

ATTACH A COPY OF THE LEGAL DESCRIPTION OF THE PROPERTY (ON WHICH THE WATER WILL BE USED) TAKEN FROM A REAL ESTATE CONTRACT, PROPERTY DEED OR TITLE INSURANCE POLICY. OR, COPY CAREFULLY IN THE SPACE BELOW.



WHAT IS YOUR INTEREST IN THE PROPERTY ON WHICH THE WATER IS TO BE USED (PROPERTY OWNER, LESSEE, CONTRACT PURCHASER, ETC.)

ARE THERE ANY EXISTING WATER RIGHTS RELATED TO THE LAND ON WHICH THE WATER IS TO BE USED (INCLUDING WATER PROVIDED BY IRRIGATION DISTRICTS OR DITCH COMPANIES.)

☐ YES ☒ NO

IF YES, FROM WHAT SOURCE (i.e. SURFACE OR GROUND WATER) AND UNDER WHAT AUTHORITY

6. DESCRIPTION OF SYSTEM PROPOSED OR INSTALLED

(FOR EXAMPLE: SIZE OF PUMP, CAPACITY OF PUMP, PUMP MOTOR HORSE POWER, PIPE DIAMETER, NUMBER OF SPRINKLERS, ETC.)

There is a 3/4 horse power submersible pump that pumps into 2" line that goes down to 1 1/4 or less. to the various house and also a small amount goes to divedstock watering. the H/c.

REMARKS

7.

8.

COMPLETE THIS SECTION ONLY IF THIS APPLICATION INCLUDES IRRIGATION AS A USE

IN ORDER TO IMPLEMENT THE PROVISIONS OF INITIATIVE MEASURE NUMBER 59, THE FAMILY FARM WATER ACT WHICH WAS PASSED BY THE VOTERS ON NOVEMBER 3, 1977, WE MUST ASK THE FOLLOWING QUESTIONS:

DOES THE TOTAL NUMBER OF ACRES IN WHICH YOU HAVE CONTROLLING INTEREST IN THE STATE OF WASHINGTON EXCEED 2000 ACRES FOR THE FOLLOWING THREE CATEGORIES:

1. LANDS THAT ARE BEING IRRIGATED UNDER WATER RIGHTS ACQUIRED AFTER DECEMBER 8, 1977.

YES ☐

NO ☒

2. LANDS THAT MAY BE IRRIGATED UNDER APPLICATIONS NOW ON FILE WITH THE DEPARTMENT OF ECOLOGY.

YES ☐

NO ☒

3. LANDS THAT MAY BE IRRIGATED UNDER THIS APPLICATION.

YES ☐

NO ☒

IF 10 ACRE-FEET OR MORE OF WATER IS TO BE STORED AND/OR IF THE WATER DEPTH WILL BE 10 FEET OR MORE AT THE DEEPEST POINT, A STORAGE PERMIT MUST BE FILED IN ADDITION TO THIS PERMIT. THESE FORMS CAN BE SECURED, TOGETHER WITH INSTRUCTIONS, FROM THE DEPARTMENT OF ECOLOGY.

SIGNATURES

Jacob Blok

LEGAL LANDOWNERS NAME  
(PLEASE PRINT)

Jacob Blok

APPLICANT'S SIGNATURE

Jacob Blok - Margaret Blok

LEGAL LANDOWNER'S SIGNATURE (OWNER OF PROPERTY DESCRIBED IN ITEM NUMBER 5)

7768 Beebe Rd, Lunden, Wa 9864

LEGAL LANDOWNER'S ADDRESS

FOR OFFICE USE ONLY

STATE OF WASHINGTON

DEPARATMENT OF ECOLOGY

ss.

This is to certify that I have examined this application together with the accompanying maps and data, and am returning it for correction or completion as follows: .....

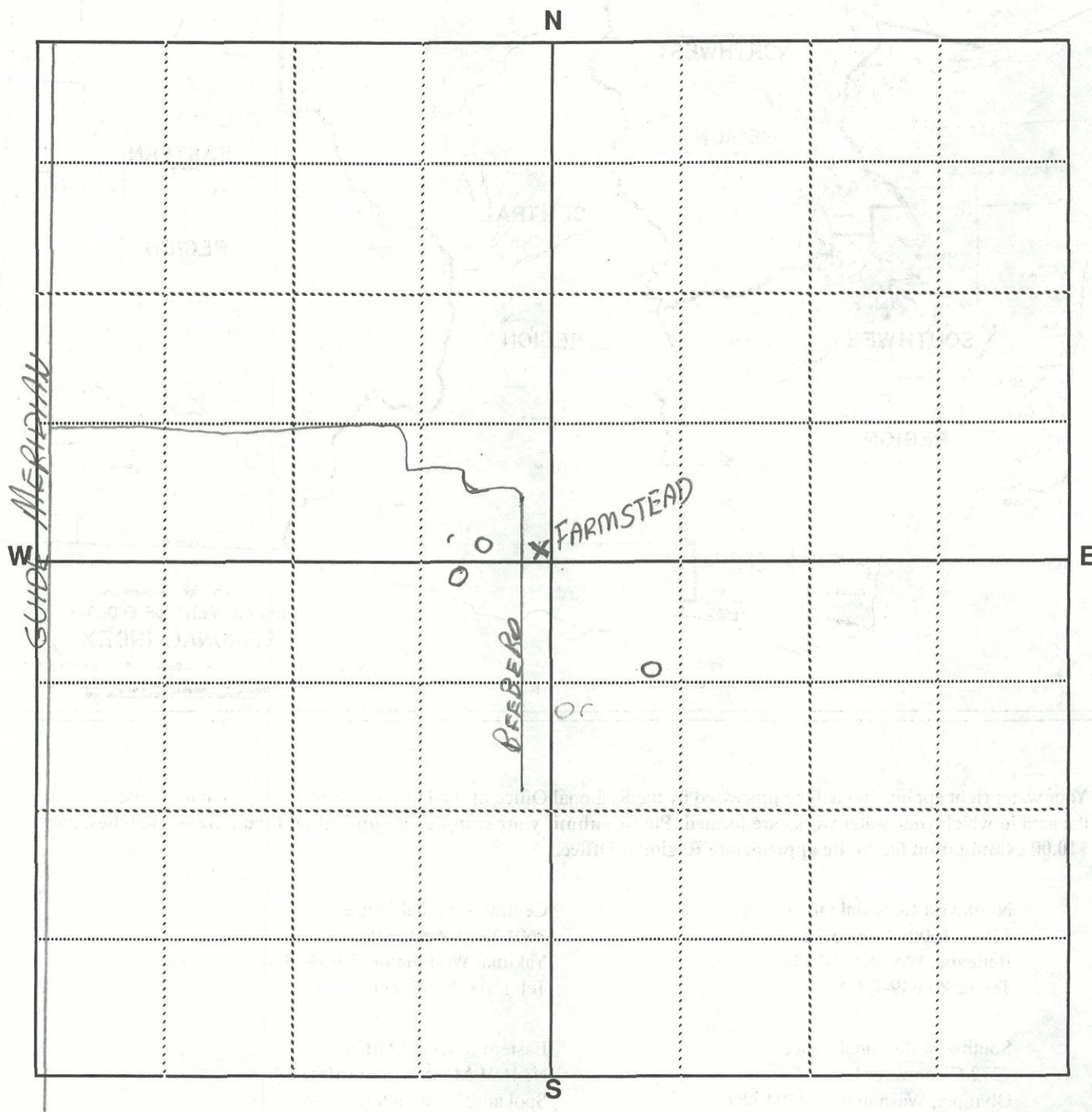
In order to retain its priority date, this application must be returned to the Department of Ecology, with corrections, on or before ....., 19.....

Witness my hand this ..... day of ....., 19.....



## SECTION MAP

Sec. .... Twp. .... N. R. ....



Scale: 1 inch = 800 feet (each small square = 10 acres)

Show by a cross (X) the location of point of diversion (surface water source) or point of withdrawal (ground water source). For ground water applications, show by a circle (O) the locations of other wells or works within a quarter of a mile.

Indicate traveling directions from nearest town in space below.

From Lynden go south 2 miles on Guide Meridian. ~~to~~  
Turn left on E. Wiser 1k. Rd. and go about  $\frac{1}{2}$   
mile and turn left on Beebe Rd., go  $\frac{1}{3}$  mile to  
farm on right

Detach here

Fold along scale



Detach this scale at the performance, fold excess paper under or cut off excess by cutting along the scale line. This scale corresponds to the SECTION MAP above. You can read feet directly from this scale to outline property and locate points of diversion or withdrawal on the SECTION MAP. Enclose this map along with the application and \$10.00 examination fee.





Your water right application will be processed by the Regional Office of the Department of Ecology having jurisdiction in the area in which your water works are located. **Please submit your completed application form, maps, sketches, and \$10.00 examination fee to the appropriate Regional Office.**

Northwest Regional Office  
3190 - 160th Avenue S.E.  
Bellevue, WA 98008-5452  
Tel. (206) 649-7000

Central Regional Office  
3601 West Washington  
Yakima, Washington 98903-1164  
Tel. (509) 575-2800

Southwest Regional Office  
7272 Cleanwater Lane  
Olympia, Washington 98504-6811  
Tel. (206) 586-6380

Eastern Regional Office  
N. 4601 Monroe, Suite 100  
Spokane, Washington 99205-1295  
Tel. (509) 456-2926

The appropriate Regional Office will be happy to answer any further questions you may have.



## THE APPLICATION FORM

An initial examination fee of \$10.00 must accompany each application. If additional examination fees are required, you will be notified. Care should be taken to answer all the questions that pertain to your circumstance. An incomplete application will likely be returned to you for completion and delay your water right.

### APPLICATION FORM ITEMS NEEDING SPECIAL ATTENTION

#### Item No. 2 of the Application:

The specific use or uses to which the water is to be applied must be entered here. Examples of such uses are irrigation, heat and frost control, single and multiple domestic supply, stock water, power generation, mining, industrial, fish propagation, wildlife refuge, recreation, heat exchange, commercial, municipal, etc.

Next, estimate the maximum quantity of water you will need for your water use. Normally, surface water is figured in cubic feet per second and ground (well) water is figured in gallons per minute. However, you may use either unit and we will convert if necessary. One cubic foot per second is equal to 450 gallons per minute. As a general guideline, a single domestic supply, which includes up to 1/2 acre of lawn and garden irrigation, requires 0.01 to 0.02 cubic feet per second or five to ten gallons per minute. The average requirement per acre of irrigation is 0.02 cubic feet per second or ten gallons per minute. If you require assistance in completing this item of your application, please contact the appropriate regional office of the Department of Ecology.

#### Item No. 3A of the Application:

If your point of diversion or withdrawal is on platted property, please enter the lot and block numbers, the name of the plat or addition, and the related section, township and range. Please also attach an official (as recorded) copy of the plat on which is marked your point of diversion or withdrawal and the boundaries of the property on which the water is to be used. Finally, please send in any additional maps or drawings you may have which will help pinpoint your point of diversion or withdrawal and your place of water use.

#### Item No. 3B of the Application:

If your point of diversion or withdrawal is not on platted property, refer to a detailed map or sketch of the property or turn to the **SECTION MAP** provided in this package. Here you should sketch the boundaries of the property on which the water is to be used. Next, show by an "X" your point of diversion or withdrawal and indicate the north/south, east/west distances from the nearest section corner or property corner—whichever is more convenient. Below the map, indicate traveling directions from the nearest town to the vicinity of your point of diversion or withdrawal. Be certain to send in this map and any others which may help pinpoint your point of diversion or withdrawal and your place of use.

Returning to the application form, please enter the distances from your point of diversion or withdrawal to the nearest section corner or property corner as you have already indicated on the **SECTION MAP** or other map. Finally, enter the smallest legal subdivision in which your point of diversion or withdrawal can be found (normally a quarter of a quarter section) and enter the corresponding section, township, range and county in their appropriate boxes.

#### Item No. 5 of the Application:

Attach two copies of the legal description of the property on which the water is to be used, taken either from a real estate contract, property deed or title insurance policy. If the property is large and water will not be applied to the entire piece, please highlight on the **SECTION MAP**, or other maps you have enclosed, those portions which will receive water. If you are unable to enclose copies of your legal description, please copy it carefully on the application or on a separate piece of paper and attach it to the application. Particular attention should be paid to insuring that the exact legal description of the property on which the water is to be used is submitted with the application. Errors in the legal description, such as omissions or transpositions, will result in a delay and/or an error in your water right.

Please submit your completed application form, maps or sketches, and \$10.00 examination fee to the appropriate regional office of the Department of Ecology (see reverse of center page).



DEPARTMENT OF ECOLOGY

**APPLYING FOR A WATER RIGHT**

**General Information**

The State Water Code of 1917 prescribes that all water is publicly owned and no public water may be appropriated (taken from its natural source and used) except as specified in the code.

The water code makes an exception to the otherwise mandatory procedure of obtaining a water right to use public water. This exception allows withdrawal of public water from a well for the following uses: stock watering, single or group domestic supply, irrigation of lawn and/or garden not greater than 1/2 acre, and industrial uses—PROVIDED, that the water used shall not exceed 5,000 gallons per day. This exception is principally used to provide single family dwellings with wells for their domestic needs without requiring a formal water right.

The following information is not intended to answer all the questions you may have in applying for a water right, but it should help with some of the more common problems people frequently encounter. If you need further help, contact the regional office of the Department of Ecology which serves your area. Regional office addresses are provided elsewhere in this package.

**STEPS NECESSARY TO OBTAIN A WATER RIGHT**

**PLEASE READ CAREFULLY**

1. The applicant applies for a permit to construct works for the diversion or withdrawal of water. The application must be accompanied by the minimum examination fee of \$10.00. This minimum examination fee covers the appropriation of up to five cubic feet per second or 2,250 gallons per minute. If an additional examination fee is required the applicant will be notified.
2. The Department of Ecology reviews the application with respect to form and, if it is complete, processes the application. If the application is incomplete, it is returned to the applicant.
3. The Department of Ecology provides the applicant with a notice of intent to divert or withdraw water which the applicant is responsible for publishing in an appropriate newspaper(s).
4. The Department of Ecology examines the specifics of the application and reports its findings and conclusions. This action may require a field examination of the project site.
5. The report of findings and conclusions is forwarded to the applicant for his concurrence accompanied by a request for the permit filing fee. The amount of the fee is based on the use(s) of the water as authorized by the permit. The minimum filing fee is \$5.00. This minimum fee covers uses such as a single domestic supply or the irrigation of up to 12 acres. Other uses will cause the permit filing fee to exceed the minimum.
6. If the applicant concurs with the report of findings and conclusions and submits the statutory permit filing fee, the Department of Ecology will issue a permit granting authority to the applicant (now a permittee) to develop a water works and begin appropriating water. NOTE: A permit to appropriate public waters does not convey the right to trespass on lands of others for access to the water source. Rights of way or easements to such source must be obtained by the permittee.
7. The permittee develops his water works and applies the water to the authorized uses. During this period the permittee must submit progress reports as required by the Department of Ecology. Extensions may be granted when, for good reasons, the permittee is unable to comply with the construction schedule.
8. Upon completion of the works and application of the water to the uses allowed in the permit, the Department of Ecology issues the permittee a certificate of water right. The permittee pays the certificate recording fee of \$5.00 payable to the Department of Ecology plus a County Auditor's recording fee.
9. Please retain the above schedule for reference until a certificate is issued.



CMD 7 for EOJ. Roll Up/Down

Jan.

This tax printout describes <sup>the</sup> tax parcel number you gave us. The contract, however, includes more property in it's description.



Mode: INQUIRY

Real Property

Auto Roll: OFF

Parcel # 400330 321074 0000 RELATED PARCELS

Tax Yr 94

\* Taxpayer # BLOK 1000 BLOK, JACOB

T/P Chg Date 1/05/85

\* Title Owner # BLOK 1000 BLOK, JACOB

T/P Chg By CLC

\* Contract Own # BOSM 4700 BOSMAN JR. J

Loan #

Plat/Condo Type

Code

Sbk

Lot

Unit

Dock

Description GOVT LOT 12 IN SEC 30-IN SEC 31 GOVT LOT

3-ACCRETION-ALSO GOVT LOT 1-EXC BEG AT

Chg Date 10/01/91

SW COR THEREOF-TH E 8 RODS-TH N 100 FT-

Chg By RR

TH NWLY TO W LI OF GOVT LOT 1 AT PT 137

Chg Rs RV

FT N OF SW COR OF SD GOVT LOT 1-TH S 137

Tax Code 4031 504 F3 C10

Land Use 8351 OSAG DAIR MH

Zoning Code AG AGRICULTURAL

Tax Stat TX TAXABLE

Reval B

Chg Rs

Fire Pt Ac

1000 10.00

Total Acres 12473 124.73

Improved Land

Unimproved Land

Timberlands

Land

Improvements

Total

Acres

Value

Acres

Value

Acres

Value

A V

A V

A V

11473

93640

1000

3450

97090

240705

337795

F/M

362190

30000

392190

240705

632895

New/C

O/AV

Mob Home AV

15925

Sub Cd

Int%

Sr Cit Cd

Reg Exmpt

Exc Exmpt

Reg Exmpt O/R

Lien OSF

Date

40176

AF # 76

1213608

As-Tx Yr

76 77

App #

853

Agr #

933



BOSMAN - seller

hereinafter called the "seller," and JACOB BLOK and MARGARET BLOK, his wife, known as the "buyers,"  
 Neenos, Washington 98272

hereinafter called the "purchaser,"

Jacob Blok & Margaret Blok, buyer

WITNESSETH: That the seller agrees to sell to the purchaser and the purchaser agrees to purchase from the seller the following described real estate, with the appurtenances, in Whatcom County, State of Washington:

1. All of Government Lot 12 and accretion in Section 30, Township 40 North, Range 3 East of the Willamette Meridian.
2. All of Government Lot 1 of Section 31, Township 40 North, Range 3 East of the Willamette Meridian, EXCEPTING therefrom a tract of land described as follows: Beginning at the Southwest corner of Government Lot 1; thence East 8 rods along the South line of said Lot 1; thence North 100 feet; thence in a Northwesterly direction to a point 137 feet North of the point of beginning; thence South 137 feet to the point of beginning. Except ditch.
3. A tract of land commencing at a point 8 rods East of the center of said Section 31, Township 40 North, Range 3 East of the Willamette Meridian; thence North 80 rods to the South line of said Lot 1; thence East 8 rods; thence South 80 rods to a point 16 rods East of the center of said Section 31; thence West 8 rods to the point of beginning, situated in the Southwest quarter of the Northeast quarter of Section 31.
4. A tract commencing at a Quarter stake on the South line of said Section 31, Township 40 North, Range 3 East of the Willamette Meridian; thence North 2300 feet; thence Northeast 11-5/10 rods to a point 8 rods East of the center of said Section 31; thence East 8 rods; thence South 25 rods; thence East 63 rods; thence South 55 rods to a point 1 rod West of the center of the Southeast quarter of said section 31; thence West 79 rods, less 20 feet, to a point 20 feet East of the center line of said Section 31; thence South 80 rods to the South line of said Section 31; thence West 20 feet to the place of beginning located in the West half of the Southeast quarter of said Section 31, EXCEPTING therefrom 1/2 interest for road purposes in the West 20 feet.
5. Government Lot 3 and accretion in Section 31, Township 40 North, Range 3 East of the Willamette Meridian.

EXCEPT from No. 4 above the following described land and 2 easements:

That portion of the Northwest quarter of the Southeast quarter of Section 31, Township 40 North, Range 3 East of the Willamette Meridian more particularly described as follows: Beginning at a stake in the South line of said sub-division, which stake is 541 feet East, more or less of the East line of the Beebe Road; thence North 242 feet; thence East 180 feet; thence South 242 feet; thence West 180 feet to the true point of beginning.

An easement for the purpose of ingress and egress over and across the South 1 rod of said subdivision lying between the tract described above and Beebe Road, which road runs along the West line of said subdivision.

An easement for the purposes of ingress and egress over the Grantors' undivided 1/2 interest in the West 20 feet of the Southwest quarter of the Southeast quarter lying North of the Wiser Lake Road and in the West 20 feet of the South 16 1/2 feet of the Northwest quarter of the Southeast quarter, all in Section 31, Township 40 North, Range 3 East of the Willamette Meridian, LESS ROADS.

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has been paid in full but that the title to the land is not yet clear of all liens and encumbrances and that the seller is not in full compliance with the provisions of this contract.

The terms and conditions of this contract are as follows: The purchase price is -----One Hundred Seventy-Five Thousand and no/100ths----- \$75,000.00 ) Dollars, of which -----Ten and no/100ths----- (\$10.00 ) Dollars have been paid, the receipt whereof is hereby acknowledged, and the balance of said purchase price shall be paid as follows:

--One Thousand One Hundred Twenty-Seven and 61/100ths--- (\$ 1,127.61 ) Dollars, or more at purchaser's option, on or before the 22nd day of May 19 72, and -----One Thousand One Hundred Twenty-Seven and 61/100ths--- (\$ 1,127.61 ) Dollars, or more at purchaser's option, on or before the 22nd day of each succeeding calendar month until the balance of said purchase price shall have been fully paid. The purchaser further agrees to pay interest on the diminishing balance of said purchase price at the rate of SIX (6%) per cent per annum from the 1st day of April 19 72, which interest shall be deducted from each installment payment and the balance of such payment applied in reduction of principal. All payments to be made hereunder shall be made ~~to~~ to John Bosman Jr. or at such other place as the seller may direct in writing. The Purchaser agrees to pay the additional sum of \$1000.00 on April 1st 1972.

The purchasers agree to ship their milk produced from said dairy farm to North-west Dairymen's Assn. and that they will execute a first order on the milk check for the payment of the monthly installments made under this contract and to keep said assignment and order on the milk check as a first order there in good standing at all times.

The fire insurance on the buildings on said farm is to be increased from \$30,700.00, which it is at the present time, as the equity in the buildings increases and as additional buildings are placed on the premises so that the fire insurance is for the actual value of the buildings.

As referred to in this contract, "date of closing" shall be

(1) The purchaser assumes and agrees to pay before delinquency all taxes and assessments that may be levied upon or against the premises or any part thereof, and if by the terms of this contract the purchaser has assumed payment of any mortgage, contract or other encumbrance, or has assumed payment of or agreed to purchase subject to, any taxes or assessments now a lien on said real estate, the purchaser agrees to pay the same before delinquency.

(2) The purchaser agrees, until the purchase price is fully paid, to keep the buildings now and hereafter placed on said real estate insured to the actual cash value thereof against fire and damage by both fire and windstorm in a company acceptable to the seller and for the seller's benefit, as his interest may appear, and to pay all premiums therefor and to deliver all policies and renewals thereof to the seller.

(3) The purchaser agrees that full inspection of said real estate has been made and that neither the seller nor his agents shall be held to any covenant respecting the condition of any improvements thereon nor shall the purchaser or seller or the assigns of either be held to any covenant or agreement for alterations, improvements or repairs unless the covenant or agreement relied on is contained herein or is in writing and attached to and made a part of this contract.

(4) The purchaser assumes all hazards of damage to or destruction of any improvements now on said real estate or hereafter placed thereon, and of the taking of said real estate or any part thereof for public use; and agrees that no such damage, destruction or taking shall constitute a failure of consideration. In case any part of said real estate is taken for public use, the portion of the condemnation award remaining after payment of reasonable expenses of procuring the same shall be paid to the seller and applied as payment on the purchase price herein unless the seller elects to allow the purchaser to apply all or a portion of such condemnation award to the rebuilding or restoration of any improvements damaged by such taking. In case of damage or destruction from a peril insured against, the proceeds of such insurance remaining after payment of the reasonable expense of procuring the same shall be devoted to the restoration or rebuilding of such improvements within a reasonable time, unless purchaser elects that said proceeds shall be paid to the seller for application on the purchase price herein.

(5) The seller has delivered, or agrees to deliver within 15 days of the date of closing, a purchaser's policy of title insurance in standard form, or a commitment therefor, issued by a member of the Title Insurance Company, insuring the purchaser to the full amount of said purchase price against loss or damage by reason of defect in seller's title to said real estate as of the date of closing and containing no exceptions other than the following:

- Printed general exceptions appearing in said policy form;
- Liens or encumbrances which by the terms of this contract the purchaser is to assume, or as to which the conveyance hereunder is to be made subject; and
- Any existing contract or contracts under which seller is purchasing said real estate, and any mortgage or other obligation, which seller by the contract agrees to pay, none of which for the purpose of this paragraph (5) shall be deemed defects in seller's title.

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